

REMARKS

Claims 1 to 42 were pending in this application and were rejected. Claims 1-7, 9-11, 15-17, 21, 23-25, 27-28, 30-32, 34-35, 37-39, and 41-42 have been amended. Admittance of the amendments is requested because they are necessary and could not have been presented earlier in view of the new references cited by the Examiner. Furthermore, the amendments present the rejected claims in better form for consideration on appeal. Reconsideration and allowance of claims 1 to 42 are respectfully requested.

The Examiner's withdrawal of the objections to claim 41 and the specification and the claim rejections under 35 U.S.C. § 112 are respectfully acknowledged.

Claims 1, 4, 9-11, 14, 16, 20-24, 27-31, 34-38, and 41 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Rierden. This rejection is respectfully traversed.

Claim 1, as amended, recites "prompting by the master control module the assigned database server to load a database corresponding to the database request." By prompting the assigned database server to load the database using the master control module, the request handler is not burdened with the task of prompting the assigned database server to load the database. As a result, the request handler is now able to process database requests from clients more quickly, and with less overall load on the request handler.

Rierden does not disclose claim 1 as amended. The Examiner suggested that the claimed request handler is embodied by the DDS of Rierden, which is provided with the information regarding the data server. However, in Rierden, any communication with the data servers must go through the DDS. As shown in Fig. 1, the only component of Rierden that directly communicates with the data servers and that prompts the data servers to load databases is the DDS. Specifically, Rierden discloses that "[e]ach transaction generator 120 is connected via a two-way communication link 105 to one (or more) data directory servers (DDS) 150" and that "[e]ach data directory server 150 in turn is connected via a two-way communication link 165 to multiple data servers." (4:63 – 5:2). Furthermore, Rierden discloses that "[t]ransaction generators 120 requesting information from the SMS databases *must* connect to a DDS 150 prior to accessing data." (6:13-15) (emphasis added). Rierden does not disclose or suggest that the transaction generator, the X-Ref server, the control application, or any other component directly communicates with a data server, for example, to prompt the data server to load a database.

Unlike claim 1, in which the assigned database server is prompted by the master control module to load a database, a request to load a database in Rierden can only be prompted by the DDS. Thus, even though the DDS is provided with information regarding a data server, Rierden still does not disclose the claimed limitation and does not provide the benefit of reducing the load on the request handler.

Accordingly, claim 1 as amended is patentable over Rierden.

Claims 21 and 35, as amended, recite "communicating by the master control module directly with a plurality of database servers, for prompting the database servers to load databases." Claim 28, as amended, recites "a database server managing module, communicating directly with a plurality of database servers, for prompting the database servers to load databases." Rierden fails to disclose that a request to assign databases is communicated to data servers by the master control module or the database server managing module, since the DDS is the only component that can directly communicate with the data servers. Accordingly, claims 21, 28, and 35 are patentable over Rierden.

Claim 11 recites "a master control module, in direct communication with the request handling module and the plurality of database servers, for receiving the database request from the request handling module." Nowhere in Rierden discloses any component that directly communicates with both the data servers and the DDS. Accordingly, Rierden fails to disclose a master control module that directly communicates with both the request handling module and the database servers. Thus, claim 11 is also patentable over Rierden.

Claims 4, 9, and 10 depend from patentable independent claim 1; claims 14, 16, and 20 depend from patentable independent claim 11; claims 22-24 and 27 depend from patentable independent claim 21; claims 29-31 and 34 depend from patentable independent claim 28; and claims 36-38 and 41 depend from patentable independent claim 35. Each of these claims is patentable over Rierden both because it depends from a patentable independent claim as well as additionally reciting its own patentable features.

Claims 7-8, 18-19, 25-26, 32-33, and 39-40 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Rierden in view of D'Souza. This rejection is respectfully traversed. As shown above, Rierden fails to disclose any component that directly communicates with a data server or that prompts the data server to load a database, except the DDS. At best, Rierden in combination with D'Souza suggest balancing the load of a conventional intermediate server

based on the distribution of clients. However, this fails to provide the benefit of the claimed limitation because the request handler is burdened with the task of prompting a database server to load a database or assigning a database to the database server. Accordingly, claims 7-8, 18-19, 25-26, 32-33, and 39-40 are patentable over the combination of Rierden and D'Souza.

Claims 5, 6, 15, 17, and 42 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Rierden in view of Lin. This rejection is respectfully traversed. As discussed, Rierden fails to disclose any component that directly communicates with a data server or that prompts the data server to load a database, except the DDS. At best, Rierden in combination with Lin suggest a conventional intermediate server that responds to a failed database request or an elapsed response time. However, this fails to provide the benefit of the claimed limitation because the request handler is burdened with the task of communicating with a database server to load a database or assigning a database to the database server. Accordingly, claims 5, 6, 15, 17, and 42 are patentable over the combination of Rierden and Lin.

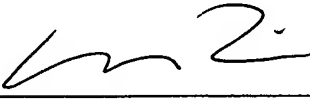
Claims 2, 3, 12, and 13 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Rierden in view of Wu. This rejection is respectfully traversed. As shown above, Rierden fails to disclose any component that directly communicates with a data server or that prompts the data server to load a database, except the DDS. At best, Rierden in combination with Wu suggest a conventional intermediate server that is capable of processing a database creation request. However, this fails to provide the benefit of the claimed limitation because the request handler is burdened with the task of communicating with a database server to load a database or assigning a database to the database server. Therefore, claims 2, 3, 12, and 13 are patentable over the combination of Rierden and Wu.

In sum, claims 1 through 42, as presented, are patentably distinguishable over the cited references. Therefore, reconsideration and allowance of all pending claims are respectfully requested. In the event that the Examiner continues one or more of his rejections, however, he is respectfully requested to enter the amendments into the case at this time to clarify the issues for appeal.

The Examiner is invited to contact Applicants' representative at the number provided below if he believes it will expedite furtherance of this application.

Respectfully submitted,
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